

The Hon. James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH M. FREEMAN,

Defendant.

NO. CR23-008-JLR

~~PROPOSED~~

**ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for an Order of Forfeiture ("Motion") seeking to forfeit to the United States, Defendant Joseph M. Freeman's interest in a sum of money ("Forfeiture Money Judgment") in the amount of \$426,666.88, representing proceeds the Defendant obtained as a result of his commission of Conspiracy to Commit Theft of Government Funds, in violation of 18 U.S.C. § 371.

The Court, having reviewed the United States' Motion, as well as other papers and pleadings filed in this matter, hereby FINDS an Order of Forfeiture is appropriate because:

- 1 • The proceeds of Conspiracy to Commit Theft of Government Funds, in  
2 violation of 18 U.S.C. § 371, are forfeitable pursuant to 18 U.S.C.  
3 § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c);
- 4 • In his plea agreement, Defendant agreed to the above-identified Forfeiture  
5 Money Judgment pursuant to 18 U.S.C. § 981(a)(1)(C), by way of  
6 28 U.S.C. § 2461(c), as it reflects proceeds he personally obtained from his  
7 commission of the offense, Dkt. No. 10 ¶ 14; and,
- 8 • This Forfeiture Money Judgment is personal to Defendant; pursuant to  
9 Federal Rule of Criminal Procedure ("Fed. R. Crim. P.") 32.2(c)(1), no  
10 third-party ancillary process is required before forfeiting it.

11  
12 NOW, THEREFORE, THE COURT ORDERS:


- 13 1. Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), and  
14 his plea agreement, Defendant's interest in the above-identified sum of money in the  
15 amount of \$426,666.88 is fully and finally forfeited, in its entirety, to the United States;
- 16 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become  
17 final as to the Defendant at the time he is sentenced; it will be made part of the sentence;  
18 and it will be included in the judgment;
- 19 3. No right, title, or interest in the Forfeiture Money Judgment exists in any  
20 party other than the United States;
- 21 4. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this Forfeiture  
22 Money Judgment, in whole or in part, the United States may move to amend this Order,  
23 at any time, to include substitute property having a value not to exceed this sum of  
24 money;
- 25 5. Pursuant to the amended plea agreement, the United States will request that  
26 the Attorney General apply any amounts it collects toward satisfaction of this Forfeiture  
27 Money Judgment to the restitution that is ordered;

1           6. Pursuant to the amended plea agreement, any amount Defendant pays  
2 toward restitution will be credited against the Forfeiture Money Judgment; and,

3           7. The Court will retain jurisdiction in this case for the purpose of enforcing  
4 this Order, as necessary.

5  
6 IT IS SO ORDERED.

7  
8 DATED this 5<sup>th</sup> day of May, 2023.

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10   
11 THE HON. JAMES L. ROBART  
12 UNITED STATES DISTRICT JUDGE  
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15  
16  
17

18 Presented by:

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